

# **SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEPs)**

## **FISCAL YEAR 1999**

U.S. EPA REGION 5 - Office of Regional Counsel

### **INTRODUCTION**

This is a comprehensive, descriptive report on all enforcement cases concluded in Fiscal Year 1999 in Region 5 in which Supplemental Environmental Projects (SEPs) were negotiated with Respondents and Defendants. SEPs are projects which a Respondent or Defendant agrees to undertake as a condition of settlement of an enforcement case that are above and beyond the requirements for mere compliance with federal environmental laws. SEPs represent a direct investment by a Respondent or Defendant to fund improvements to the environment, and can range from pollution prevention to environmental restoration to emergency planning and preparedness.

A few important notes concerning the content and format of this report must be made. First, in those cases involving both a SEP and a monetary penalty, it is not uncommon to find that the penalty has been reduced upon the successful negotiation of the SEP. For this reason, both the original and the final penalties are provided for those cases which included a penalty.

Second, this report does not identify those Respondents and Defendants which have not yet completed their SEPs, nor does it identify those who have. This report simply describes the SEP which the Respondent or Defendant agreed to undertake. The term "Respondent" refers to the party to whom an administrative order was issued or an administrative complaint was served. The term "Defendant" refers to the party in a civil judicial lawsuit against whom relief is sought.

Third, when the cost of the SEP is indicated, it is usually estimated (unless, of course, the Respondent or Defendant has already completed the SEP). In cases in which the cost is extremely rough, the word "estimated" follows the cost in parentheses. If the case also involved injunctive relief and/or a penalty, the costs of these, if available, are listed immediately following the cost of the SEP.

Fourth, the statute section listed in each case is the section of the statute whose requirements the SEP addresses, not the section which authorized Region 5 to issue a complaint.

Fifth, and finally, the following page contains keys to common acronyms used in this report. These acronyms include environmental statutes, by which the cases are divided, and geographic initiatives. They also include a set of miscellaneous acronyms which refer to various chemicals, reports, abbreviations, etc. For those acronyms used only once in this report, both the full name and the acronym are embedded within the report and are not included on the following page.

## KEY TO ACRONYMS

### Key to Environmental Statutes

		<u>Pages</u>
<b>CAA</b>	Clean Air Act	<b>6 - 12</b>
<b>CERCLA</b>	Comprehensive Envmtl. Response, Compensation, and Liability Act	<b>13 - 14</b>
<b>CWA</b>	Clean Water Act	<b>15 - 18</b>
<b>EPCRA</b>	Emergency Planning and Community Right-to-Know Act	<b>19 - 20</b>
<b>FIFRA</b>	Federal Insecticide, Fungicide, and Rodenticide Act	<b>N/A</b>
<b>RCRA</b>	Resource Conservation and Recovery Act	<b>21 - 22</b>
<b>SDWA</b>	Safe Drinking Water Act	<b>23 - 23</b>
<b>TSCA</b>	Toxic Substances Control Act	<b>24 - 25</b>
<b>304/103</b>	EPCRA Section 304 and CERCLA Section 103	<b>26 - 27</b>
<b>Multi-Media</b>	Cases involving more than one statute	<b>28 - 31</b>

### Key to Region 5 Geographic Initiatives

<b>[CLE]</b>	Cleveland Initiative
<b>[GAT]</b>	Mississippi Gateway Initiative
<b>[GC]</b>	Greater Chicago Initiative
<b>[GLB]*</b>	Great Lakes Basin
<b>[NWI]</b>	Northwest Indiana Initiative
<b>[SEMI]</b>	Southeast Michigan Initiative
<b>[TRI]</b>	Tristate Initiative
<b>[UM]</b>	Upper Mississippi Initiative

\* Note: Cases which are identified as GLB cases are not part of any official Region 5 geographic initiative. Rather, these cases are tracked in the same manner as official initiative cases because, similar to the official initiative cases, GLB cases represent Region 5's effort to secure environmental cleanup and protection within a specific geographic region.

### Key to Common Acronyms and Abbreviations

<b>CMI</b>	Corrective Measures Implementation	<b>RFI</b>	RCRA Facility Investigation
<b>CMS</b>	Corrective Measures Study	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>CO</b>	Carbon Monoxide	<b>STP</b>	Sewage Treatment Plant
<b>CO<sub>2</sub></b>	Carbon Dioxide	<b>USDW</b>	Underground Source of Drinking Water
<b>MEK</b>	Methyl Ethyl Ketone	<b>UST</b>	Underground Storage Tank
<b>NPDES</b>	Nat'l Pollution Discharge Elim. System	<b>VOC</b>	Volatile Organic Compound
<b>NO<sub>x</sub></b>	Nitrogen Oxides (NO and NO <sub>2</sub> )	<b>WWTP</b>	Wastewater Treatment Plant
<b>PCB</b>	Polychlorinated Biphenyl	<b>dba</b>	"doing business as"
<b>PM</b>	Particulate Matter		

### Fiscal Year 1999 Supplemental Environmental Projects Results

Total Number of Settlements Involving SEPs	37
Total Number of SEPs	43
Total Value of SEPs *	\$96,308,753
Average Cost of SEP s*	\$2,239,738
Total Penalty Values in SEP Cases	\$9,028,604
Total Number of SEP Cases with Injunctive Relief (IR) (Total IR Value)	23 (62%) (\$35,721,370)
Total number of Pollution Prevention SEPs	15
Total number of SEPs >\$100,000	12
Total number of SEPs in EJ communities	3

\* SEP value in one case was not indicated in Docket

### Cases included in the Fiscal Year 1999 Supplemental Environmental Project Report

Date	Case Name	Attorney	Program	IR	SEP	PEN
CAA						
9/29/99	Banta Direct Marketing	McAuliffe	Doyle	X	X	X
9/24/99	Calumet Steel	Messina	Bush	X	X	X

2/23/99	Chem-Rex, Inc.	Krueger	Assidi	X	X	X
6/30/99	DePere Foundry	Mercahnt	Assadi		X	X
9/27/99	E.P. Graphics	Loughlin	Curtis	X	X	X
12/2/98	Getzen Corporation	Ketzback	Curtis	X	X-2	X
3/23/99	Iroquois Foundry	Vasaturo	Assadi	X	X-2	X
6/30/99	Northwest Incinerator, City of Chicago	Mucha	Burke	X	X-4	X
5/24/99	Nylonge Corporation	King	Dart	X	X	X
10/8/98	Stoneco, Inc.	Turner	Farley		X	X
8/9/99	Tomen Agro, Inc.	Omeara	Vuilleumier		X	X
<b>CERCLA</b>						
6/9/99	Johnson Controls, Inc.	Hicks	Palomo		X	X
4/20/99	Lowes Home Centers, Inc.	McClary	McNamara		X	X
<b>CWA</b>						
3/10/99	Brackett Builders	Nash	Gorski	X	X	X
11/2/98	DuQuoin STP	Pinzon	Hahn	X	X	
9/30/99	Freudenburg-Nok General Partners	Nash	Choi		X	X
12/30/98	Rochester, City of	Turner	Felitti, Carter		X	X
5/7/99	Roselle, City of	Cox	McGuire	X	X	X
4/8/99	Vlasic Farms, Inc.	Cha	McGuire, Lamb	X	X	X
<b>EPCRA</b>						
4/6/99	Arch Chemicals p/k/a Olin Corporation	Bogda	McNamara		X	X
2/23/99	Royal Cola Bottling Company of Chicago	Glowacki	Entzminger		X	X
<b>FIFRA</b>						
	none					
<b>RCRA</b>						
10/30/98	Big River Zinc Corporation	Kirby	Cunningham	X	X	X

6/7/99	McLaughlin Body Company	McClary	None	X	X	X
9/28/99	Pierce & Stevens Corporation	Chow	Kuefler	X	X	X
<b>SDWA</b>						
1/21/99	Kaiser-Francis Oil Company	O'Meara	McDonald	X	X	X
<b>TSCA</b>						
2/24/99	Illinois Institute of Technology	Vasaturo	Zolnierczyk		X	X
11/5/98	State of Indiana	Williams	Codina	X	X	X
<b>EPCRA/ CERCLA</b>						
12/22/98	B.F. Goodrich Company	Arrazola	Entzminger		X	X
2/9/99	Cenex Land O'Lakes	Hicks	McNamara		X	X
11/17/98	Hudson Foods Inc.	Cha	McNamara		X	X
10/29/98	IMC Agribusiness, Inc.	Melodia	McNamara		X	X
2/9/99	Koch Fertilizer Storage and Terminal Company	Anastacio	McNamara		X	X
<b>MM</b>						
1/22/99	Ashland Petroleum	Murphy	Hall	X	X	X
5/28/99	B.P. Oil and Chemical Company	Messina, Wagner	Hall, McCoy	X	X	X
1/25/99	Northwestern Steel and Wire Company	Murawski	Zolnierczyk	X	X-2	X
11/20/98	Shell Wood River Refining Company	McAuliffe, Mulroney	Keith, Cunningham, McNamara	X	X	X
8/6/98	USX Corporation	Martin	Ohl, Golubski	X	X	X

# CLEAN AIR ACT

## Statute Summary for Fiscal Year 1999

Number of cases with SEPs:	11
Number of SEPs:	16
Total cost value of SEPs:	\$1,312,754
Average cost value of SEPs:	\$82,047
Value of penalties in SEP cases:	\$477,035
Number of SEP cases with injunctive relief:	8 - Totaling \$413,751
Number of pollution prevention SEPs:	6

**Case Name:** In re: BANTA DIRECT MARKETING, INC.  
**Attorney/Program Contacts:** McAuliffe / Doyle  
**Location:** Elk Grove Village, IL (Cook County) 60007  
**Geographic Initiative(s):** GC, GLB, UM  
**Statute:** CAA, Section 110  
**Type of Order:** Administrative Compliance Order  
Administrative Penalty Order  
**Date of Order:** 9/29/99  
**Type of SEP:** Pollution Reduction  
**Cost of SEP:** \$118,720  
**Original/Final Penalty:** \$75,850 / \$17,000  
**Injunctive Relief:** No Cost (Use Reduction, Industrial Process Change, Emissions/Discharge Change, Monitoring/Sampling, and Permit Application, Other)  
**SEP Description:** The Respondent has agreed to achieve, demonstrate, and maintain continuous compliance with an 85% control efficiency at the facility's lithographic printing and paper coating lines by installing pattern gluer enclosures on four of its presses before January 1, 1999, and Banta will submit an amendment to its Title V permit for future compliance.

**Quantitative Reduction(s):** VOCs into the air (amount and percent not available)  
**Environmental Benefit(s):** Potential human health, worker, and ecosystem protection.

**Case Name:** In re: CALUMET STEEL COMPANY  
**Attorney/Program Contacts:** Messina / Bush  
**Location:** Chicago Heights, IL (Cook County) 60411  
**Geographic Initiative(s):** GC, GLB, UM  
**Statute:** CAA, Section 110  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 9/24/99  
**Type of SEP:** Pollution Reduction  
**Cost of SEP:** \$11,204  
**Original/Final Penalty:** \$80,850 / \$69,646  
**Injunctive Relief:** \$20,000 (Other)  
**SEP Description:** The Respondent has agreed to install a continuous bag leak monitor, with a probe in each of 6 compartments of its baghouse controlling particulate matter emissions from the electric arc furnaces and cast house. This is a new technology and EPA will benefit by acquiring knowledge.

**Quantitative Reduction(s):** Lead and cadmium into the air (amount and percent not available)  
**Environmental Benefit(s):** Potential human health, worker, and ecosystem protection.  
Increased fed/state/local government knowledge.

**Case Name:** In re: CHEM-REX, INC.  
**Attorney/Program Contacts:** Krueger / Assadi  
**Location:** Mattawan, WI (Van Buren County) 49071  
**Geographic Initiative(s):** GLB  
**Statute:** CAA, Section 113(d)  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 2/23/99  
**Type of SEP:** Pollution Prevention - equipment/technology modifications  
**Cost of SEP:** \$24,700  
**Original/Final Penalty:** \$127,642 / \$42,000  
**Injunctive Relief:** No Cost (Permit Application)  
**SEP Description:** The Respondent has agreed to install a vapor recovery system to reduce VOC emissions from its PL process equipment.

**Quantitative Reduction(s):** VOCs - 17,474 lbs (100% reduction) into the air

**Environmental Benefit(s):** Potential human health and worker protection.

**Case Name:** In re: DEPERE FOUNDRY  
**Attorney/Program Contacts:** Mercahant / Assadi  
**Location:** DePere, WI (Brown County) 49071  
**Geographic Initiative(s):** GLB  
**Statute:** CAA, Section 112  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 6/30/99  
**Type of SEP:** Pollution Prevention - equipment/technology modifications  
Pollution Reduction  
**Cost of SEP:** \$76,255  
**Original/Final Penalty:** \$77,850 / \$6,500  
**Injunctive Relief:** N/A  
**SEP Description:** The Respondent has agreed to modify equipment to reduce carbon monoxide and resurface a driveway and a sand storage area with compacted gravel to reduce fugitive dust.  
**Quantitative Reduction(s):** CO - 497 tons/yr reduction into the air  
**Environmental Benefit(s):** Potential human health and worker protection.

**Case Name:** In re: E.P. GRAPHICS, INC.  
**Attorney/Program Contacts:** Loughlin / Curtis  
**Location:** Berne, IN (Adams County) 46711  
**Geographic Initiative(s):** GLB  
**Statute:** CAA, Section 111  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 9/27/99  
**Type of SEP:** Pollution Reduction  
Pollution Prevention - equipment/technology modifications, process/procedure modification, product reformulation/redesign  
**Cost of SEP:** \$108,000  
**Original/Final Penalty:** \$119,000 / \$44,000  
**Injunctive Relief:** \$121,751 (Monitoring/Sampling, Permit Application, Recordkeeping, Testing, Other)  
**SEP Description:** The Respondent has agree to install a UV coating operation, which will replace the existing coater that uses higher VOCs materials.



**Quantitative Reduction(s):**  
**Environmental Benefit(s):**

VOCs - 5 tons/yr (90% reduction) into the air  
Potential human health protection.

**Case Name:**  
**Attorney/Program Contacts:**  
**Location:**  
**Geographic Initiative(s):**  
**Statute:**  
**Type of Order:**  
**Date of Order:**  
**Type of SEP:**  
**Cost of SEP:**  
**Original/Final Penalty:**  
**Injunctive Relief:**  
**SEP Description:**

In re: GETZEN COMPANY, INC. (2 SEPs)  
Ketzback / Bourgikos  
Elkhorn, WI (Walworth County) 53121  
UM  
CAA, Section 112  
Administrative Penalty Order  
12/2/98  
Assessments and Audits  
\$18,800  
\$28,800 / \$8,000  
\$62,000 (Other)  
The Respondent has agreed to undertake two SEPs:  
(1)an environmental compliance audit focusing on the  
facility's operations, records, and regulatory requirements,  
and any discovered violations must be corrected, and  
(2) perform a biodegradation treatability study to  
investigate the feasibility of biodegradation to clean-up  
contamination from certain sites. If the method works, Getzen  
will use biodegradation to eliminate the air emissions from the  
currently used pumping and treating method.

**Quantitative Reduction(s):**  
**Environmental Benefit(s):**

N/A  
Potential human health and worker protection.  
Environmental restoration.

**Case Name:**  
**Attorney/Program Contacts:**  
**Location:**  
**Geographic Initiative(s):**  
**Statute:**  
**Type of Order:**  
**Date of Order:**  
**Type of SEP:**  
**Cost of SEP:**

In re: IROQUOIS FOUNDRY (2 SEPs)  
Vasturo / Assadi  
Browntown, WI (Green County) 53522  
UM  
CAA, Section 113A  
Administrative Compliance Order  
Administrative Penalty Order  
3/23/99  
Pollution Prevention - raw materials substitution  
Pollution Reduction  
(1) \$50,149 / (2) \$27,234

**Original/Final Penalty:** \$113,508 / \$57,188  
**Injunctive Relief:** \$130,000 (Testing, Emissions/Discharge Change)  
**SEP Description:** The Respondent has agreed to:  
 (1) Reduce VOCs by converting alcohol based core wash to water based core wash; and  
 (2) Replace existing baghouse on cast cleaning operation with a more effective baghouse.  
**Quantitative Reduction(s):** (1)VOCs - 131 tons/yr (100% reduction) into the air  
 (2) PM - 11.2 tons/yr (100% reduction) into the air  
**Environmental Benefit(s):** Potential human health protection.

**Case Name:** U.S. v. NORTHWEST INCINERATOR (4 SEPs)  
**Attorney/Program Contacts:** Mucha / Burke  
**Location:** Chicago, IL (Cook, OH) 60624  
**Geographic Initiative(s):** GC, GLB, UM  
**Statute:** CAA, Section 113  
**Type of Order:** Consent Decree / Consent Order  
**Date of Order:** 6/30/99  
**Type of SEP:** Public Health, Pollution Reduction  
**Cost of SEP:** \$700,000 - total  
**Original/Final Penalty:** \$200,000 / \$200,000  
**Injunctive Relief:** \$80,000 (Industrial Process Change, Monitoring/Sampling)  
**SEP Description:** The Defendant has agreed to conduct the following SEPS:  
 (1) remediate environmental contamination at a brownsfield site at 4100-4221 West Ferdinand Street in Chicago, IL - \$275,000;  
 (2) remediate environmental contamination at a brownsfield site at 4118-4140 Lake Street in Chicago, IL - \$175,000;  
 (3) rehabilitate (or construct) a building in the Community to serve as a Lead Safe House to house low-income Chicago residents temporarily while remediation is being undertaken at their residences - \$100,000;  
 (4) the City shall recruit a non-profit, community based organization to conduct lead hazardous control activities at or near the community - \$150,000  
**Quantitative Reduction(s):** Lead - amount and percent reduced unavailable  
 PAHs - 1,410 tons  
**Environmental Benefit(s):** Actual human health and ecosystem protection.

Environmental restoration.  
Increased public awareness.

**Case Name:** In re: NYLONGE CORPORATION  
**Attorney/Program Contacts:** King / Dart  
**Location:** Elyria, OH (Lorain, OH) 44035  
**Geographic Initiative(s):** GLB, NEO  
**Statute:** CAA, Section 110  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 5/24/99  
**Type of SEP:** Pollution Reduction  
**Cost of SEP:** \$65,074  
**Original/Final Penalty:** \$104,250 / \$17,812  
**Injunctive Relief:** No Cost (Monitoring/Sampling, Recordkeeping, Permit Application, Emissions/Discharge Change)  
**SEP Description:** The Respondent has agreed to operate a caustic scrubber during 80% of the high ozone days from May to September for the next three years, so that the plant overcomplies with standards.  
**Quantitative Reduction(s):** Carbon disulfide - 20 tons/yr (20% reduction) into the air  
**Environmental Benefit(s):** Actual human health, worker, and ecosystem protection.

**Case Name:** In re: STONECO, INC.  
**Attorney/Program Contacts:** Turner / Farley  
**Location:** Ottawa Lake, MI (Ottawa County) 49267  
**Geographic Initiative(s):** GLB  
**Statute:** CAA, Section 111E  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 10/8/98  
**Type of SEP:** Pollution Prevention - process/procedure modification, improved housekeeping/O&M/training/inventory control  
**Cost of SEP:** \$22,418  
**Original/Final Penalty:** \$88,500 / \$3,370  
**Injunctive Relief:** None  
**SEP Description:** The Respondent has agreed to construct a truck wheel wash operation which will prevent track out of quarry material from the operation, thus preventing fugitive dust.  
**Quantitative Reduction(s):** Dust

<b>Environmental Benefit(s):</b>	Potential human health and ecosystem protection.
<b>Case Name:</b>	In re: TOMGEN AGRO, INC.
<b>Attorney/Program Contacts:</b>	Omeara / Vuilleumier
<b>Location:</b>	Perry, OH (Lake County) 44081
<b>Geographic Initiative(s):</b>	GLB, NEO
<b>Statute:</b>	CAA, Sections 110, and 112
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	8/9/99
<b>Type of SEP:</b>	Pollution Prevention - equipment technology modification
<b>Cost of SEP:</b>	\$90,200
<b>Original/Final Penalty:</b>	\$53,900 / \$11,514
<b>Injunctive Relief:</b>	None
<b>SEP Description:</b>	The Respondent agreed to replace the existing baghouse (shaker style) at Tomen Agro's rework facility with a more efficient baghouse (jet pulse).
<b>Quantitative Reduction(s):</b>	PM - 2 ton/yr (50% reduction) into the air
<b>Environmental Benefit(s):</b>	Potential human health protection.

# CERCLA

## Statute Summary for Fiscal Year 1999

Number of cases with SEPs:	2
Number of SEPs:	2
Total cost value of SEPs:	\$79,525
Average cost value of SEPs:	\$39,763
Value of penalties in SEP cases:	\$7,592
Number of SEP cases with injunctive relief:	0
Number of pollution prevention SEPs:	1

<b>Case Name:</b>	In re: JOHNSON CONTROLS, INC.
<b>Attorney/Program Contacts:</b>	Hicks / Palomo
<b>Location:</b>	Geneva, IL (Kane County) 60134
<b>Geographic Initiative(s):</b>	UM
<b>Statute:</b>	CERCLA, Section 103A
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	6/9/99
<b>Type of SEP:</b>	Pollution Prevention - equipment/technology modification
<b>Cost of SEP:</b>	\$58,900

<b>Original/Final Penalty:</b>	\$10,829 / \$2,436
<b>Injunctive Relief:</b>	None
<b>SEP Description:</b>	The Respondent agreed to replace an existing 10,000-gallon sulfuric acid tank, install an alarm system for the storage tanks and the unload station, and relocate the existing truck unloading station next to a containment reservoir.
<b>Quantitative Reduction(s):</b>	Prevention of any releases or spills of sulfuric acid.
<b>Environmental Benefit(s):</b>	Potential human health, worker, and ecosystem protection.

  

<b>Case Name:</b>	In re: LOWES HOME CENTERS, INC.
<b>Attorney/Program Contacts:</b>	McClary / McNamara
<b>Location:</b>	Ft. Wayne, IN (Allen County) 46804
<b>Geographic Initiative(s):</b>	GLB
<b>Statute:</b>	CERCLA, Section 103(a)
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	4/20/99
<b>Type of SEP:</b>	Environmental Compliance Promotion
<b>Cost of SEP:</b>	\$20,625
<b>Original/Final Penalty:</b>	\$20,625 / \$5,156
<b>Injunctive Relief:</b>	None
<b>SEP Description:</b>	The Respondent agreed to provide a one day symposium for other retailer that deals with the sale of household pesticides, including storage, transportation, and environmental regulation.
<b>Quantitative Reduction(s):</b>	N/A
<b>Environmental Benefit(s):</b>	Potential human health and worker protection. Increased federal/state/local government knowledge. Increased awareness of the regulated community.

# CLEAN WATER ACT

## Statute Summary for Fiscal Year 1999

Number of cases with SEPs:	6
Number of SEPs:	6
Total cost value of SEPs:	\$249,237**
Average cost value of SEPs:	\$41,540
Value of penalties in SEP cases:	\$55,000
Number of SEP cases with injunctive relief:	5 - Totaling \$2,227,936
Number of pollution prevention SEPs:	0

\*\*DUQUOIN value not included.

<b>Case Name:</b>	In re: BRACKETT BUILDERS
<b>Attorney/Program Contacts:</b>	Nash / Gorski
<b>Location:</b>	Montezuma, OH (Mercer County) 45866
<b>Geographic Initiative(s):</b>	GLB
<b>Statute:</b>	CWA, Section 404
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	3/10/99
<b>Type of SEP:</b>	Environmental Restoration and Protection
<b>Cost of SEP:</b>	\$45,000
<b>Original/Final Penalty:</b>	\$50,000 / \$5,000

<b>Injunctive Relief:</b>	\$7,000 (Restoration)
<b>SEP Description:</b>	The Respondent has agreed to restore wetlands polluted and degraded by mechanized and clearing activities.
<b>Quantitative Reduction(s):</b>	6.005 acres of additional wetlands
<b>Environmental Benefit(s):</b>	Environmental restoration and protection.

  

<b>Case Name:</b>	In re: DUQUOIN STP
<b>Attorney/Program Contacts:</b>	Pinzon / Hahn
<b>Location:</b>	DuQuoin, IL (Perry County) 62832
<b>Geographic Initiative(s):</b>	UM
<b>Statute:</b>	CWA, Sections 402 and 503
<b>Type of Order:</b>	Administrative Compliance Order
<b>Date of Order:</b>	11/2/98
<b>Type of SEP:</b>	Environmental Compliance Promotion
<b>Cost of SEP:</b>	Unknown
<b>Original/Final Penalty:</b>	None
<b>Injunctive Relief:</b>	\$2,176,000 (Testing, Monitoring/Sampling, Other)
<b>SEP Description:</b>	The Respondent has agreed to award the City a grant to fund waste water treatment plant improvements, which will include installation of a bell filter press and a lime pasteurization system.
<b>Quantitative Reduction(s):</b>	Unknown
<b>Environmental Benefit(s):</b>	Potential human health and ecosystem protection.

  

<b>Case Name:</b>	In re: FREUDENBURG-NOK GENERAL PARTNERS
<b>Attorney/Program Contacts:</b>	Nash / Choi
<b>Location:</b>	Scottsburg, IN (Washington County) 47170
<b>Geographic Initiative(s):</b>	None
<b>Statute:</b>	CWA, Section 307
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	9/30/99
<b>Type of SEP:</b>	Pollution Reduction
<b>Cost of SEP:</b>	\$78,537
<b>Original/Final Penalty:</b>	\$137,500 / \$25,000
<b>Injunctive Relief:</b>	\$44,936 (Monitoring/Sampling)
<b>SEP Description:</b>	The Respondent has agreed to reduce the VOC emissions by the use of water- based adhesives as a substitute for solvent-based adhesives in some of the products it produces.
<b>Quantitative Reduction(s):</b>	VOCs - 25 tons/yr reduction emitted into the air



**Environmental Benefit(s):** Potential human health, worker, and ecosystem protection.

**Case Name:** In re: ROCHESTER, CITY OF  
**Attorney/Program Contacts:** Turner / Felitti, Carter  
**Location:** Rochester, MI (Oakland County) 48307  
**Geographic Initiative(s):** GLB, SEMI  
**Statute:** CWA, Sections 301(a), 307, and 402  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 12/30/98  
**Type of SEP:** Public Health, Pollution Reduction, Environmental Restoration/Protection, Environmental Compliance Promotion  
**Cost of SEP:** \$33,000  
**Original/Final Penalty:** \$48,000 / \$12,000  
**Injunctive Relief:** None  
**SEP Description:** The Respondent agreed to sponsor a “Household Hazardous Waste Collection Day” for the resident of the City of Rochester. Household hazardous wastes will be collected and properly disposed and residents will be provided information concerning the importance of correct disposal of each waste.

**Quantitative Reduction(s):** Household hazardous wastes (amount and percent reduction not available)

**Environmental Benefit(s):** Potential human health and ecosystem protection. Increased public awareness.

**Case Name:** In re: ROSELLE, VILLAGE OF  
**Attorney/Program Contacts:** Cox / McGuire  
**Location:** Roselle, IL (DuPage County) 60172  
**Geographic Initiative(s):** UM  
**Statute:** CWA, Sections 402 and 405  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 5/7/99  
**Type of SEP:** Public Health, Pollution Reduction  
**Cost of SEP:** \$13,000  
**Original/Final Penalty:** \$10,000 / \$1,000  
**Injunctive Relief:** No Cost (Storage/Disposal Change)  
**SEP Description:** The Respondent agreed to modify the drainage from the asphalt driveway near the sludge storage building to prevent sludge from entering a storm sewer.

**Quantitative Reduction(s):** Pathogens and other pollutants from entering the DuPage River.  
**Environmental Benefit(s):** Potential human health and ecosystem protection.

**Case Name:** In re: VLASIC FARMS, INC.  
**Attorney/Program Contacts:** Cha / McGuire, Lamb  
**Location:** West Chicago, IL (DuPage County) 60185  
**Geographic Initiative(s):** UM  
**Statute:** CWA, Section 307  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 4/8/99  
**Type of SEP:** Pollution Reduction  
**Cost of SEP:** \$79,700  
**Original/Final Penalty:** \$62,000 / \$12,000  
**Injunctive Relief:** Cost Unknown (Emissions/Discharge Change)  
**SEP Description:** The Respondent agreed to replace the existing sodium cycle cation exchange water softener and chloride cycle anion exchange de-alkalizers with a nanofiltration system (membrane softening), thereby reducing its consumption of salt and reducing the amount of chloride and dissolved solids entering the sewage system.

**Quantitative Reduction(s):** Chloride - amount and reduction unknown  
Dissolved solids - amount and reduction unknown  
**Environmental Benefit(s):** Potential ecosystem protection.

# EPCRA

## Statute Summary for Fiscal Year 1999

Number of cases with SEPs:	2
Number of SEPs:	2
Total cost value of SEPs:	\$247,700
Average cost value of SEPs:	\$123,850
Value of penalties in SEP cases:	\$60,852
Number of SEP cases with injunctive relief:	0
Number of pollution prevention SEPs:	2

<b>Case Name:</b>	In re: ARCH CHEMICALS p/k/a OLIN CORP.
<b>Attorney/Program Contacts:</b>	Bogda / McNamara
<b>Location:</b>	East Alton, IL (Madison County) 62024
<b>Geographic Initiative(s):</b>	GAT, UM
<b>Statute:</b>	EPCRA 304(a) & (c)
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	4/6/99
<b>Type of SEP:</b>	Pollution Prevention - equipment/technology modification
<b>Cost of SEP:</b>	\$223,700
<b>Original/Final Penalty:</b>	\$319,000 / \$52,604
<b>Injunctive Relief:</b>	None
<b>SEP Description:</b>	The Respondent agreed to install a TOC analyzer on NPDES

	outfall 003, install thermocouple temperature indicators in each of 27 connections discharging to their scrubber system, and install a product flow meter at the polychemicals track 5, spot 3.
<b>Quantitative Reduction(s):</b>	Ethylene oxide and propylene oxide - (amount and percent reduction unknown) into the water
<b>Environmental Benefit(s):</b>	Actual human health and ecosystem protection.
<b>Case Name:</b>	In re: ROYAL CROWN BOTTLING COMPANY OF CHICAGO
<b>Attorney/Program Contacts:</b>	Glowacki / Entzminger
<b>Location:</b>	Chicago, IL (Cook County) 60632
<b>Geographic Initiative(s):</b>	GC, GLB, UM
<b>Statute:</b>	EPCRA, Section 312
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	2/23/99
<b>Type of SEP:</b>	Pollution Prevention - equipment/technology modification
<b>Cost of SEP:</b>	\$24,000
<b>Original/Final Penalty:</b>	\$78,692 / \$8,248
<b>Injunctive Relief:</b>	None
<b>SEP Description:</b>	The Respondent agreed to purchase and install anhydrous ammonia sensors around their ammonia refrigeration units.
<b>Quantitative Reduction(s):</b>	Early detection of ammonia release.
<b>Environmental Benefit(s):</b>	Potential human health and ecosystem protection.

# RCRA

## Statute Summary for Fiscal Year 1999

Number of cases with SEPs:	3
Number of SEPs:	3
Total cost value of SEPs:	\$188,003
Average cost value of SEPs:	\$62,668
Value of penalties in SEP cases:	\$175,693
Number of SEP cases with injunctive relief:	3- Totaling \$22,865
Number of pollution prevention SEPs:	2

<b>Case Name:</b>	In re: BIG RIVER ZINC CORPORATION
<b>Attorney/Program Contacts:</b>	Kirby / Cunningham
<b>Location:</b>	Sauget, IL (St. Claire Island County) 62201
<b>Geographic Initiative(s):</b>	GAT, UM
<b>Statute:</b>	RCRA, Section 3008
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	10/30/98
<b>Type of SEP:</b>	Pollution Reduction
<b>Cost of SEP:</b>	\$99,500
<b>Original/Final Penalty:</b>	\$104,850 / \$25,406
<b>Injunctive Relief:</b>	\$7,365 (Storage/Disposal Change, Recordkeeping, Training)
<b>SEP Description:</b>	The Respondent agreed to install a permanent fiberglass cover

	for its treatment tank to replace disposable covers which become cadmium and lead.
<b>Quantitative Reduction(s):</b>	Cadmium - 1 ton/yr released into the soil Lead - 1 ton/yr released into the soil
<b>Environmental Benefit(s):</b>	Potential ecosystem protection. Less hazardous waste being landfilled.
<b>Case Name:</b>	In re: MCLAUGHLIN BODY COMPANY
<b>Attorney/Program Contacts:</b>	McClary / Vicente
<b>Location:</b>	Rock Island, IL (Rock Island County) 61201
<b>Geographic Initiative(s):</b>	UM
<b>Statute:</b>	RCRA, Section 3004
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	6/7/99
<b>Type of SEP:</b>	Pollution Prevention - process/procedure modification
<b>Cost of SEP:</b>	\$41,255
<b>Original/Final Penalty:</b>	\$243,409 / \$62,489
<b>Injunctive Relief:</b>	\$7,500 (Storage/Disposal Change, Remediation, Other)
<b>SEP Description:</b>	The Respondent agreed to install a heat cleaning oven and eliminate a caustic solvent stripping operation.
<b>Quantitative Reduction(s):</b>	Stripper rinse water - 2090 gallons (100% percent reduction) into the air Strip tank sludge - 330 gallons (100% reduction) onto the land
<b>Environmental Benefit(s):</b>	Potential human health benefits. Actual ecosystem protection. Increased federal/state/local government knowledge.
<b>Case Name:</b>	In re: PIERCE AND STEVENS CORP.
<b>Attorney/Program Contacts:</b>	Chow / Kueffler
<b>Location:</b>	Kehoe, IL (DuPage County) 60187
<b>Geographic Initiative(s):</b>	UM
<b>Statute:</b>	RCRA, Section 3005
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	9/28/99
<b>Type of SEP:</b>	Pollution Prevention - energy efficiency/conservation Pollution Reduction
<b>Cost of SEP:</b>	\$47,248

**Original/Final Penalty:** \$123,659 / \$87,798

**Injunctive Relief:** \$8,000 (Storage/Disposal Change, Labeling/Manifesting, Permit Application, Recordkeeping)

**SEP Description:** The Respondent agreed to install equipment which will allow them to reduce water consumption and discharge by approximately 80%.

**Quantitative Reduction(s):** Discharge of hot water reduced by 80%.

**Environmental Benefit(s):** Potential ecosystem protection.

## SDWA

### Statute Summary for Fiscal Year 1999

<b>Number of cases with SEPs:</b>	1
<b>Number of SEPs:</b>	1
<b>Total cost value of SEPs:</b>	\$2,900
<b>Average cost value of SEPs:</b>	\$2,900
<b>Value of penalties in SEP cases:</b>	\$15,150
<b>Number of SEP cases with injunctive relief:</b>	1- Totaling \$0
<b>Number of pollution prevention SEPs:</b>	1

**Case Name:** In re: KAISER-FRANCIS OIL CO.

**Attorney/Program Contacts:** O'Meara / McDonald

**Location:** Franklin Township, MI (Clare County) 48617

**Geographic Initiative(s):** GLB

**Statute:** SDWA, Section 1421

**Type of Order:** Administrative Penalty Order

**Date of Order:** 1/21/99

**Type of SEP:** Pollution Prevention - equipment/technology modification

**Cost of SEP:** \$2,900

**Original/Final Penalty:** \$39,900 / \$15,150

**Injunctive Relief:** No Cost (Monitoring/Sampling)

**SEP Description:** The Respondent agreed to install Murphy Pulsation Dampeners on each well covered by the Permit, and purchase and use a high accuracy digital gauge to precisely determine operating conditions.

**Quantitative Reduction(s):** N/A

**Environmental Benefit(s):** Potential ecosystem protection.

## TSCA

### Statute Summary for Fiscal Year 1999

<b>Number of cases with SEPs:</b>	2
<b>Number of SEPs:</b>	2
<b>Total cost value of SEPs:</b>	\$60,000
<b>Average cost value of SEPs:</b>	\$30,000
<b>Value of penalties in SEP cases:</b>	\$18,000
<b>Number of SEP cases with injunctive relief:</b>	1 - Totaling \$38,000
<b>Number of pollution prevention SEPs:</b>	1

**Case Name:** In re: ILLINOIS INSTITUTE OF TECHNOLOGY

**Attorney/Program Contacts:** Vasaturo / Zolnierczyk

**Location:** Chicago, IL (Cook County) 60616

**Geographic Initiative(s):** GC, GLB, UM

**Statute:** TSCA, Section 16

**Type of Order:** Administrative Penalty Order

**Date of Order:** 2/24/99

**Type of SEP:** Public Health, Pollution Reduction

**Cost of SEP:** \$30,000



<b>Original/Final Penalty:</b>	\$25,000 / \$15,000
<b>Injunctive Relief:</b>	None
<b>SEP Description:</b>	The Respondent agreed to dispose 7 PCB transformers.
<b>Quantitative Reduction(s):</b>	PCBs - amount and percent reduction not available.
<b>Environmental Benefit(s):</b>	Potential human health, worker, and ecosystem protection.

<b>Case Name:</b>	In re: STATE OF INDIANA, DEPARTMENT OF CORRECTIONS
<b>Attorney/Program Contacts:</b>	Williams / Codina
<b>Location:</b>	Westville, IN (LaPorte County) 46391
<b>Geographic Initiative(s):</b>	GLB, NWI, UM
<b>Statute:</b>	TSCA, Section 6E
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	11/5/98
<b>Type of SEP:</b>	Pollution Prevention- equipment/technology modifications, Pollution Reduction, Assessments and Audits
<b>Cost of SEP:</b>	\$30,000
<b>Original/Final Penalty:</b>	\$101,500 / \$3,000
<b>Injunctive Relief:</b>	\$38,000 (Testing, Use Reduction)
<b>SEP Description:</b>	The Respondent agreed to remove PCB equipment and perform a compliance audit.
<b>Quantitative Reduction(s):</b>	PCBs - amount and percent reduction not available.
<b>Environmental Benefit(s):</b>	Potential human health, worker, and ecosystem protection.

## EPCRA 304/CERCLA 103

### Statute Summary for Fiscal Year 1999

Number of cases with SEPs:	5
Number of SEPs:	5
Total cost value of SEPs:	\$198,206
Average cost value of SEPs:	\$39,641
Value of penalties in SEP cases:	\$63,108
Number of SEP cases with injunctive relief:	0
Number of pollution prevention SEPs:	2

<b>Case Name:</b>	In re: B.F. GOODRICH COMPANY
<b>Attorney/Program Contacts:</b>	Arrazola / Entzminger
<b>Location:</b>	Avon Lake, OH (Lorain County) 44012
<b>Geographic Initiative(s):</b>	GLB, NEO
<b>Statute:</b>	CERCLA, Section 103, EPCRA, Section 304
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	12/22/98
<b>Type of SEP:</b>	Emergency Planning and Preparedness

**Cost of SEP:** \$22,795  
**Original/Final Penalty:** \$75,000 / \$15,000  
**Injunctive Relief:** None  
**SEP Description:** The Respondent agreed to purchase and donate thermal imaging goggles to the Avon Lake Fire Department.  
**Quantitative Reduction(s):** N/A  
**Environmental Benefit(s):** Potential human health and worker protection.

**Case Name:** In re: CENEX LAND O'LAKES  
**Attorney/Program Contacts:** Hicks / McNamara  
**Location:** Glyndon, MN (Clay County) 56547  
**Geographic Initiative(s):** UM  
**Statute:** CERCLA, Section 103, EPCRA, Section 304  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 2/9/99  
**Type of SEP:** Environmental Restoration/Protection  
**Cost of SEP:** \$3,857  
**Original/Final Penalty:** \$33,000 / \$11,915  
**Injunctive Relief:** None  
**SEP Description:** The Respondent agreed to purchase and donate hazardous materials response equipment to the Glyndon, Minnesota fire department.  
**Quantitative Reduction(s):** N/A  
**Environmental Benefit(s):** Potential human health, worker, and ecosystem protection.

**Case Name:** In re: HUDSON FOODS, INC.  
**Attorney/Program Contacts:** Cha / McNamara  
**Location:** Albert Lea, MN (Freeborn County) 56007  
**Geographic Initiative(s):** UM  
**Statute:** CERCLA, Section 103, EPCRA, Section 304  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 11/17/98  
**Type of SEP:** Pollution Prevention - equipment/technology modification  
**Cost of SEP:** \$31,500  
**Original/Final Penalty:** \$42,500 / \$8,500  
**Injunctive Relief:** None  
**SEP Description:** The Respondent agreed to install 52 new pressure relief valves, 8 new computer mother boards, and 8 new Manning Ammonia

**Quantitative Reduction(s):** Sensors.  
**Environmental Benefit(s):** Ammonia - amount and percent reduction unknown  
Potential human health, worker, and ecosystem protection.

**Case Name:** In re: IMC AGRIBUSINESS, INC.  
**Attorney/Program Contacts:** Melodia / McNamara  
**Location:** New Lebanon, IN (Sullivan County) 47864  
**Geographic Initiative(s):** None  
**Statute:** CERCLA, Section 103, EPCRA, Section 304  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 10/29/98  
**Type of SEP:** Emergency Planning and Preparedness  
**Cost of SEP:** \$10,054  
**Original/Final Penalty:** \$27,500 / \$5,363  
**Injunctive Relief:** None  
**SEP Description:** The Respondent agreed to purchase and donate emergency response equipment for the New Lebanon, Indiana Fire Department.

**Quantitative Reduction(s):** N/A  
**Environmental Benefit(s):** Actual human health protection.

**Case Name:** In re: KOCH FERTILIZER STORAGE AND TERMINAL COMPANY  
**Attorney/Program Contacts:** Anastasio / McNamara  
**Location:** Crawfordsville, IN (Montgomery County) 47933  
**Geographic Initiative(s):** None  
**Statute:** CERCLA, Section 103(a), EPCRA, Section 304(a)&(c)  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 2/9/99  
**Type of SEP:** Pollution Prevention - equipment/technology modification  
Emergency Planning and Preparedness  
**Cost of SEP:** \$130,000  
**Original/Final Penalty:** \$152,330 / \$22,330  
**Injunctive Relief:** None  
**SEP Description:** The Respondent agreed to install a stack match pilot system for Crawfordsville flare-system, install 2 emergency generators in Walton and Huntington Indiana facilities, and donate emergency response equipment.

**Quantitative Reduction(s):**  
**Environmental Benefit(s):**

Ammonia - amount and percent reduction unknown  
Potential human health, worker, and ecosystem protection.

## MULTI-MEDIA

### Statute Summary for Fiscal Year 1999

Number of cases with SEPs:	5
Number of SEPs:	6
Total cost value of SEPs:	\$939,704,420
Average cost value of SEPs:	\$15,661,738
Value of penalties in SEP cases:	\$8,162,070
Number of SEP cases with injunctive relief:	5 - Totaling \$33,018,818
Number of pollution prevention SEPs:	0

**Case Name:**

In re: ASHLAND PETROLEUM CO.

**Attorney/Program Contacts:**

Murphy / Hall

**Location:**

St. Paul Park, MN (Washington County) 55071

<b>Geographic Initiative(s):</b>	None
<b>Statute:</b>	CAA, Sections,111 and 113; CWA, Sections 301 and 311; RCRA, Section 3008A, and; EPCRA, Sections 304C, and 314
<b>Type of Order:</b>	Administrative Penalty Order
<b>Date of Order:</b>	1/22/99
<b>Type of SEP:</b>	Pollution Reduction, Environmental Restoration and Protection, Assessment and Audit, and Environmental Compliance Promotion
<b>Cost of SEP:</b>	\$10,535,742
<b>Original/Final Penalty:</b>	\$2,822,963 / \$2,822,963
<b>Injunctive Relief:</b>	\$4,300,000 (Industrial Process Change, Emissions/Discharge Change, Remediation, Training, Monitoring/Sampling, Reporting, Recordkeeping, and Labeling/Manifesting)
<b>SEP Description:</b>	Unknown
<b>Quantitative Reduction(s):</b>	VOC - 4,745,000 lbs/yr reduction emitted into the air
<b>Environmental Benefit(s):</b>	Actual human health, worker, and ecosystem protection. Increased federal/state/local government knowledge.
<b>Case Name:</b>	U.S. v. B.P. OIL AND EXPLORATION COMPANY
<b>Attorney/Program Contacts:</b>	Messina, Wagner / Hall, McCoy
<b>Location:</b>	Cleveland, OH (Cuyahoga County) 44114
<b>Geographic Initiative(s):</b>	GLB, NEO
<b>Statute:</b>	CAA, Sections 110,111,112; CERCLA, Sections 103, 109; EPCRA, Sections 304, 325
<b>Type of Order:</b>	Consent Decree / Consent Order
<b>Date of Order:</b>	5/28/99
<b>Type of SEP:</b>	Emergency Planning and Preparedness
<b>Cost of SEP:</b>	\$350,000
<b>Original/Final Penalty:</b>	\$1,400,000 / \$1,400,000
<b>Injunctive Relief:</b>	\$708,818 (Industrial Process Change, Training, Recordkeeping)
<b>SEP Description:</b>	The Respondent agreed to purchase, donate, and have installed an emergency telephone notification system that will be capable of notifying the residents of the Village of Harbor View, OH and of Lucas County of emergencies. Also, B.P. will purchase, donate, and have installed an upgraded radio and paging system for the City of Oregon Fire Department.
<b>Quantitative Reduction(s):</b>	N/A
<b>Environmental Benefit(s):</b>	Improved ability of the local emergency planning committee and

the local fire department to respond to emergencies and to notify the community of emergencies.

**Case Name:** In re: NORTHWESTERN STEEL AND WIRE COMPANY  
(2 SEPs)  
**Attorney/Program Contacts:** Murawski / Zolnierczyk  
**Location:** Sterling, IL (Whiteside County) 61081  
**Geographic Initiative(s):** UM  
**Statute:** RCRA, Section 3005 and TSCA, Section 15  
**Type of Order:** Administrative Penalty Order  
**Date of Order:** 1/25/99  
**Type of SEP:** Pollution Reduction  
**Cost of SEP:** (1) \$82,686 / (2) \$2,000  
**Original/Final Penalty:** \$92,070 / \$25,637  
**Injunctive Relief:** \$0 (Storage/Disposal Change, Remediation, Recordkeeping, Other)  
**SEP Description:** The Respondent agreed to:  
(1) pour concrete containment under baghouses to capture hazardous waste dust; and  
(2) remove and dispose of the last remaining PCB capacitors in use at the facility.  
**Quantitative Reduction(s):** Hazardous waste dust - 10 tons/yr  
PCB - 100% reduction  
**Environmental Benefit(s):** Potential human health, worker, and ecosystem protection

**Case Name:** U.S. v. SHELL WOOD RIVER REFINING COMPANY  
**Attorney/Program Contacts:** McAuliffe, Mulroney / Keith, Cunningham, McNamara  
**Location:** Roxana, IL (Madison County) 62084  
**Geographic Initiative(s):** GAT, UM  
**Statute:** CAA 111, 112, 113, 114; RCRA 3008; EPCRA 304; CERCLA 103  
**Type of Order:** Consent Decree / Court Order  
**Date of Order:** 11/20/98  
**Type of SEP:** Pollution Reduction, Environmental Restoration and Protection, Emergency Planning and Preparedness  
**Cost of SEP:** \$13,000,000  
**Original/Final Penalty:** \$1,013,470 / \$1,013,470  
**Injunctive Relief:** \$6,010,000 (Testing, Monitoring/Sampling,

**SEP Description:** Emissions/Discharge Change)  
The Defendant agreed to: a)eliminate pitch burning in process heaters and boilers, b)NSPS supercompliance at Shell Wood Refinery, c) purchase Mississippi River land for wetlands preservation, d) donate MAZMAT equipment to Madison County, and e) perform lab clean-up at Roxana School District.

**Quantitative Reduction(s):** SO2 - 7,700 tons/yr released into the air  
NOX - 940 tons/yr released into the air  
PM - 260 tons/yr released into the air

**Environmental Benefit(s):** Actual human health and ecosystem protection.

**Case Name:** U.S. v. USX CORPORATION

**Attorney/Program Contacts:** Martin / Ohl, Golubski

**Location:** Gary, IN (Lake County) 46402

**Geographic Initiative(s):** GLB, UM, NWI

**Statute:** EPCRA, Section 313; CWA, Sections 301, 311, and 402

**Type of Order:** Consent Decree / Consent Order

**Date of Order:** 8/6/98 r

**Type of SEP:** Environmental Restoration/Protection

**Cost of SEP:** \$70,000,000

**Original/Final Penalty:** \$2,900,000 / \$2,900,000

**Injunctive Relief:** \$22,000,000 (Remediation/Restoration)

**SEP Description:** The Defendant agreed to remove and dispose of 687,000 cubic yards of contaminated sediments.

**Quantitative Reduction(s):** PAHs/PCBs - 687 cubic yards removed (100% reduction)  
Metals - (100% reduction)

**Environmental Benefit(s):** Actual human health, worker, and ecosystem protection.  
Environmental restoration.  
Increased public awareness.  
Increased fed/state/local government knowledge.

r This case did not occur in FY 1999, but the information was not available for it to be placed in the FY 1998 report.